

REMARKS

Applicants respectfully request reconsideration of the present application based on the foregoing amendments and following remarks. By this amendment, claims 1, 3, 4, 7, 11, 18, 21, 28, 30, 31, 34, 38, 45 and 48 have been canceled and claims 2, 5, 8, 10, 12, 15, 19, 20, 22, 29, 32, 35, 37, 39, 42, 46, 47 and 49 have been amended. Claims 2, 5, 6, 8-10, 12-17, 19, 20, 22-25, 29, 32, 33, 35-37, 39-44, 46, 47 and 49-52 are pending in the application.

Allowable Claims

Applicants appreciate the Examiner's indication that claims 5, 6, 8-10, 12-17, 19, 20, 22-25, 32, 33, 35-37, 39-44, 46, 47 and 49-52 would be allowable if rewritten. Per the Examiner's suggestion, allowable claims 5, 8, 10, 12, 15, 19, 20, 22, 32, 35, 37, 39, 42, 46, 47 and 49 have been rewritten into independent form, and remaining claims have been either canceled or amended to depend from allowable claims. Accordingly, the claims should be allowed.

Claim Rejections Under 35 U.S.C. 112

Claims 1, 3 and 30 stand rejected as being indefinite.

Claim 1 has been canceled, and the period ("") noted by the Examiner has been removed in new independent claims 5, 8, 10, 12, 15, 19, 20 and 22 as suggested in the Office Action. Accordingly, this rejection has been obviated.

The rejections of claims 3 and 30 are respectfully traversed. The Office Action states that "it is unclear whether the port is a source or destination port before or after the queues." However, Applicants respectfully submit that the claims are clear to those skilled in the art.

Although claims 3 and 30 have been canceled, corresponding subject matter has been included in all the new independent claims. These claims recite that flow identity information is extracted from a stream received from the switching fabric and that "the flow identity information includes port, identified by port number, and traffic class." Those skilled in the art will understand how a flow can be identified by port number, and that this port can be, for example, either a source or destination port. The claims are not unclear merely for broadly including various types of ports. Moreover, those skilled in the art realize that a flow or stream can have port numbers that are not dependent on the internal structure of the switch.

Accordingly, it is not necessary to specify “where the ‘port’ is located relative to the switching fabric, bandwidth scheduler, and queues of the switch,” as stated in the Office Action. These are usually internal components of a switch, and those skilled in the art understand that flow information extracted from a stream traversing a switch need not specify such internal components. Therefore, the claims are not unclear to those skilled in the art for failing to specify where the port is located as set forth in the Office Action.

Accordingly, Applicants respectfully submit that the rejection of claims 3 and 30 should be withdrawn.

Claim Rejections Under 35 U.S.C. 102

Claims 1-3, 11, 28-30 and 38 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,104,700 to Haddock et al. (“Haddock”). Rejected independent claims 1 and 28 have been canceled, as have rejected dependent claims 3, 11, 30 and 38, thereby rendering the rejections of those claims moot. Claims 2 and 29 have been amended to depend from allowable claims. Accordingly, the rejection should be withdrawn.

Claim Rejections Under 35 U.S.C. 103

Claims 4, 7, 18, 31, 34 and 45 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Haddock in view of U.S. Patent No. 6,628,609 to Chapman et al. (“Chapman”). Claims 21 and 48 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Haddock in view of U.S. Patent Pub. No. 2002/0097736 to Cohen (“Cohen”).

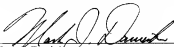
Claims 4, 7, 18, 21, 31, 34, 45 and 48 have all been canceled, thus rendering the rejections moot.

Conclusion

All objections and rejections having been addressed, the application is believed to be in condition for allowance and Notice to that effect is earnestly solicited. If any issues remain which the Examiner feels may be resolved through a telephone interview, s/he is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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